

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

<b>SPEAR, et al.</b>	:	<b>CIVIL ACTION</b>
	:	
<b>v.</b>	:	
	:	
<b>FENKELL, et al.</b>	:	<b>NO. 13-2391</b>

**ORDER**

The defendants, David B. Fenkell, Karen G. Fenkell, and DBF Consulting LLC (the “Fenkell Parties”), filed a motion to exclude expert testimony from Samuel Halpern, Michael Mittleman, and Nick Bubnovich, under Fed. R. Evid. 702 and *Daubert v. Merrell Dow Pharmaceuticals, Inc.*, 509 U.S. 579 (1993). Doc. No. 635. For the reasons described in the Memorandum filed with this Order, it is on this 23<sup>rd</sup> day of December, 2016,

**ORDERED**

1. That the Fenkell Parties’ motion to exclude plaintiff’s expert witness, Samuel Halpern, is denied;
2. That the Fenkell Parties’ motion to exclude plaintiff’s expert witness, Michael Mittleman, is denied; and
3. That the Fenkell Parties’ motion to exclude plaintiff’s expert witness, Nick Bubnovich, is denied.

**BY THE COURT:**

**s/Richard A. Lloret**  
**RICHARD A. LLORET**  
**UNITED STATES MAGISTRATE JUDGE**